

Docket No. ST 2623.01 US
USSN: 09/495,552

PATENT
Art Unit: 2653

REMARKS

Claims 5-41 are pending in the present application.

This Amendment is in response to the Final Office Action mailed November 16, 2004. In the Office Action, the Examiner objected to claims 40 and 41 under 37 CFR 1.75(a), rejected claims 5, 22, 25, 26, 33-35, 36, 38 and 41 under 35 U.S.C. § 102. In addition, the Examiner indicated allowable subject matter for claims 23, 24, 27-31, 37, and 39-40 if they are rewritten in independent form including the base claim and any intervening claims.

Applicant has canceled claims 5, 22, 25, 26, 32-36, 38 and 41, amended claims 23, 27, 37, and 40. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

I. OBJECTIONS UNDER 37 C.F.R. 1.75(a)

The Examiner objected claims 40 and 41 under 37 C.F.R. 1.75(a) for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended claim 40 and cancelled claim 41. The objections are now moot.

Applicant respectfully requests the objections be withdrawn.

II. REJECTIONS UNDER 35 U.S.C. § 102

In the Office Action, the Examiner rejected claims: (1) 5, 36, 38 and 41 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,199,090 issued to Bell ("Bell") and (2) 22, 25, 26, and 33-35 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,762,997 issued to Gage et al. ("Gage"). Applicant has cancelled claims 5, 36, 38, 41, 22, 25, 26, 33-35 w/o prejudice.

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Therefore, the rejections are now moot. Applicant reserves the right to file a continuation application to include these claims at a later date.

Applicant respectfully requests the rejections be withdrawn.

III. ALLOWABLE SUBJECT MATTER

In the Office Action, the Examiner stated: "Claims 23, 24, 27-31, 37, 39-40 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims". Applicant has amended claims 23, 27, 37, and 40 to include all limitations of the base claims and their intervening claims respectively. The pending claims are now in condition for allowance. Applicant would like to thank the Examiner for these allowable claims and Applicant looks forward to receiving a Notice of Allowance in the near future.

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CONCLUSION

In view of the amendments and remarks made above, it is respectfully submitted that the pending claims are in condition for allowance, and such action is respectfully solicited. If it is believed that a telephone conversation would expedite the prosecution of the present application, or clarify matters with regard to its allowance, the Examiner is invited to contact the undersigned attorney at the number listed below.

The Commissioner is hereby authorized to charge payment of any required fees associated with this Communication or credit any overpayment to Deposit Account No. 04-1175.

Respectfully submitted,

DISCOVISION ASSOCIATES

Dated: April 15, 2005



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